APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/942,432	08/29/2001	Giri Parthasarathy Prathivadi Bayankara	70006405-1	7455

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EXAMINER
EDELMAN, BRADLEY E

ART UNIT	PAPER NUMBER
2153	

DATE MAILED: 07/12/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)
	09/942,432	PRATHIVADI BAYANKARA ET AL.
Office Action Summary	Examiner	Art Unit	
	Bradley Edelman	2153	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *19 April 2005*.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1 and 3-15* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1 and 3-15* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *19 April 2005* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All   b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)
2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
      Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
      Paper No(s)/Mail Date. _____.
5)☐ Notice of Informal Patent Application (PTO-152)
6)☐ Other: _____.

DETAILED ACTION

This Office action is in response to Applicant's amendment and request for

reconsideration filed on April 19, 2005. Claims 1 and 3-15 are presented for

examination.

Drawings

1.   The drawing corrections are noted and are approved.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

2.   Claims 1 and 3-15 are rejected under 35 U.S.C. 103(a) as being unpatentable

over Hemphill et al. (U.S. Patent No. 6,167,448, hereinafter "Hemphill"), in view of

Linderman (U.S. Patent Application Publication No. 2002/0032790).

In considering claim 1, Hemphill discloses an application management system,

comprising:

a management server computer ("management server," col. 3, lines 4-5);

at least one managed application being coupled to the server computer via a

communication network ("software," "application," col. 3, line 5; col. 5, lines 49-51; col.

6, lines 17-18, 28-29); and

means for encoding and decoding application management data for transmission

between the management server computer and the managed application, the means for

encoding and decoding application management data being adapted to encode and

decode application management data at least partially based on an XML format (col. 8,

line 66 – col. 9, line 12).

However, Hemphill does not disclose transmitting the data in an XML format from

the management server to the managed application. Instead, Hemphill's management

system focuses on sending management information from the managed applications to

the management server. Nonetheless, it is well known in the art for network

management systems to send information and commands using XML in *both* directions

– i.e. from the server to network devices/applications, and from the devices/applications

to the server – as evidenced by Linderman. In a similar art, Linderman discloses a

network management system that includes sending information and commands from

network elements to a network server using XML, and also includes sending

management information from the server to the network elements using XML (see figs.

1 & 2; ¶ 30, describing SOAP as an XML-based protocol; ¶ 46, describing using SOAP

to send management messages from the server to the network element). Given this

knowledge, a person having ordinary skill in the art would have readily recognized the

desirability and advantages of allowing the server taught by Hemphill to manage the

configuration of the client applications, so that when errors or other alarms are

discovered, a network manager can easily fix the problem remotely, as taught by

Linderman. Therefore, it would have been obvious to include both the monitoring and

configuration features taught by Linderman in the network management system taught by Hemphill.

In considering claim 3, Hemphill further discloses that the means for encoding and decoding application management data comprise a TCP encoding and decoding means ("TCP/IP," col. 7, lines 10-11, 67).

In considering claim 4, Hemphill further discloses that the application management server computer further comprises a browser application program being communicatively coupled to the means for encoding and decoding application management data that is installed at the application management server computer a way that a application management data request message is forwarded from the browser application program to the means for encoding and decoding application management data ("browser... on the management server," col. 4, lines 28-34).

In considering claim 5, Hemphill further discloses that the managed application comprises an agent process being communicatively coupled to a management information database, in which the application management data about at least one application of the managed application is stored ("database" coupled to the "management agent," col. 3, lines 31-35; col. 4, lines 35-38).

In considering claim 6, Hemphill further discloses that the application management data comprises at least one type of the following data: lifecycle management data; configuration management data; and/or application log management data (col. 5, lines 49-51, "software configurations").

In considering claim 7, Hemphill further discloses a further browser application program being installed on an application management client computer, which is coupled to the management server computer via communication network, the further browser application program being adapted to send application management data requests (col. 3, lines 44-47).

Claims 8-10 describe a server device, managed application, and method for performing no additional same steps over the system of claim 1, and are therefore rejected for the same reasons.

In considering claim 11, Hemphill further discloses that the application management data is encoded in XML format and according to TCP (col. 7, lines 10-11; col. 8, lines 66-67).

In considering claim 12, Hemphill further discloses that a browser application program is provided in the management server computer for forwarding a network management data request from the browser application program to the means for

encoding and decoding application management data ("browser... on the management

server," col. 4, lines 28-34).

In considering claim 13, the combined teaching of Hemphill and Linderman

further discloses:

encoding a application management data request message at least partially

according to an XML format; encoding the application management data request

message according to the TCP format; transmitting the encoded application

management data request message to the managed application; decoding the encoded

application management data request message according to the TCP format; decoding

the TCP-decoded application management data request message at least partially

according to the XML format; determining the requested application management data

requested in the application management data request message; and reporting the

determined requested application management data to the management server

computer (Hemphill, col. 4, lines 32-45; col. 8, line 66 – col. 9, line 12; Linderman, ¶ 43,

describing that information exchange in both directions uses XML).

In considering claim 14, Hemphill further discloses encoding an application

management data response message at least partially according to the XML format, the

application management data response message including the determined requested

application management data; encoding the application management data response

message according to the TCP format; transmitting the encoded application

management data response message to the management server computer; decoding

the encoded application management data response message according to the TCP

format; decoding the TCP-decoded application management data response message at

least partially according to the XML format (col. 4, lines 32-45; col. 8, line 66 – col. 9,

line 12).

In considering claim 15, Hemphill further discloses displaying the determined

requested application management data using a graphic user interface (col. 4, lines 28-

34).

Response to Arguments

Applicant's remarks have been considered but are moot in view of the new

grounds for rejection.

Conclusion

The prior art made of record and not relied upon is considered pertinent to

applicant's disclosure.

Applicant's amendment necessitated the new ground(s) of rejection presented in

this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37

CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Bradley Edelman whose telephone number is 571-272-3953. The examiner can normally be reached from 9 a.m. to 5 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glen Burgess can be reached at 571-272-3949. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

BE
July 7, 2005